
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Metrocast Cablevision)	File No. EB-04-BS-041
)	
Laconia, New Hampshire)	NOV No. V20043226001
)	
)	

NOTICE OF VIOLATION

Released: May 24, 2004

By the District Director, Boston Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to Metrocast Cablevision, operator of the cable system serving Laconia, New Hampshire.

2. On May 11, 2004, an agent of the Commission's Boston Office inspected the cable system serving Laconia, New Hampshire and observed the following violation(s):

- a. 47 C.F.R. § 76.605(a)(12) "...signal leakage from a cable television system shall be measured... and shall be limited as follows:" This section requires that cable operators maintain their cable system signal leakage below 20 $\mu\text{V/m}$ in the frequency band between 54 MHz and 216 MHz. Signal leakage in excess of 20 $\mu\text{V/m}$ was measured at the following locations:

Date	Frequency (MHz)	Signal Strength ($\mu\text{V/m}$)	Location
5-11-04	127.2625	138	Pole at 69 Belvidere St.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, Metrocast Cablevision must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Boston Office
One Batterymarch Park
Quincy, MA 02169

4. This Notice shall be sent to Metrocast Cablevision, 9 Apple Road, Belmont, New Hampshire 03220.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

Dennis V. Loria
District Director
Boston Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*